

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

NICHOLAS J. BENEDETTI, individually and on behalf of all others similarly situated,	:	
	:	Case No. 1:10-cv-00660
Plaintiff,	:	
	:	
v.	:	
	:	
KEY CORP and KEY BANK NATIONAL ASSOCIATION d/b/a KEYBANK,	:	
	:	
Defendants.	:	

**MOTION FOR ADMISSION *PRO HAC VICE*
OF ATTORNEY JOSEPH S. TUSA**

Plaintiffs respectfully move the Court for admission *pro hac vice* of attorney Joseph S. Tusa, Whalen & Tusa, P.C., 33 West 19th Street, 4th Floor, New York, New York, 10011. Attorney Tusa is an experienced litigator who has particular knowledge of and familiarity with the legal issues involved in this case. Accordingly, Attorney Tusa would greatly assist Plaintiffs' prosecution of this case. The undersigned will continue to serve as counsel for the Plaintiffs and will ensure that Attorney Tusa is familiar with the local rules and practices of this Court.

In support of his motion for admission, attached hereto as Exhibit 1 is the Affidavit of Joseph S. Tusa showing that Mr. Tusa is a member of the law firm of Whalen & Tusa, P.C., that he is a member in good standing of the Bar of the State of New York, the United States Circuit Court for the First and Second Courts of Appeal, the United States District Courts for the Southern and Eastern Districts of New York.

For the above reasons, Plaintiffs respectfully request this Court grant Plaintiffs' Motion for Admission *Pro Hac Vice* of Attorney Joseph S. Tusa.

Dated: April th~~26~~ 25, 2010

Respectfully submitted,



Geoffrey M. Johnson (0073084)
SCOTT+SCOTT LLP
12434 Cedar Road, Suite 12
Cleveland Heights, OH 44106
Telephone: (216) 229-6088
Facsimile: (216) 229-6092
Email: gjohnson@scott-scott.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify on the th~~26~~ day of April, 2010, a copy of the foregoing Motion for Admission *Pro Hac Vice* of Attorney Joseph S. Tusa was served via the electronic filing system, and to those not registered on the electronic filing system, a copy was mailed via U.S. Mail, postage prepaid.



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Attorneys for Plaintiff

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	:	
Defendants.	:	

**AFFIDAVIT OF JOSEPH S. TUSA IN SUPPORT OF MOTION
FOR ADMISSION OF COUNSEL *PRO HAC VICE***

I, Joseph S. Tusa, being duly sworn upon oath, depose and say:

1. I am an attorney for Plaintiff in the above-referenced case. I make this Affidavit in support of a Motion for Admission of Counsel *pro hac vice* in this case.

2. I am a member in good standing of the bars of the following courts and jurisdictions: the State of New York, the United States Circuit Court for the First Circuit Court of Appeals, the United States Circuit Court for the Second Circuit Court of Appeals, the United States District Court for the Southern District of New York and the United States District Court for the Eastern District of New York.

3. I am an attorney at the firm of Whalen & Tusa, P.C., located at the following address: 33 West 19th Street, 4th Floor, New York, New York, 10011, Telephone: (212) 400-7100, Facsimile: (212) 658-9685, Email: joseph@whalen-tusa.com.

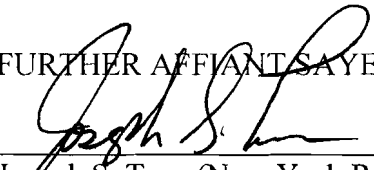
4. I regularly represent individuals and classes of individuals in similar litigation in other federal courts. I am an attorney for the Plaintiff and proposed class in this case and good cause exists for this Court to admit *me pro hac vice*.

EXHIBIT 1

5. I acknowledge and agree that if I am admitted to *pro hac vice*, I will submit to the rules of this Court.

6. I have never been disbarred or suspended from practice before any court, department, bureau or commission of any State or the United States, or have ever received any reprimand from any such court, department, bureau or commission pertaining to conduct or fitness as a member of the bar.

FURTHER AFFIANT SAYETH NAUGHT.



Joseph S. Tusa (New York Reg. No. 2717809)

State of New York)
)
County of New York)

Subscribed and sworn to (or affirmed) before me on this 8th day of April, 2010, by Joseph S. Tusa, proved to me on the basis of satisfactory evidence to be the person who appeared before me.



Notary Public

Place Seal:

JOSEPH GUGLIELMO
Notary Public, State of New York
No. 02GU5067674
Qualified in Westchester County
Commission Expires Oct. 21, 2010